

FILED

# UNITED STATES DISTRICT COURT

for the  
Eastern District of Michigan

2014 MAY 13 AM 11:48

Federal National Mortgage Association

*Plaintiff*

v.

Empirian At Riverfront, LLC, et al

*Defendant*

Civil Action No. 11-14119

4:14mc1

U.S. DISTRICT COURT  
FOR THE EASTERN DISTRICT  
OF MICHIGAN

## CLERK'S CERTIFICATION OF A JUDGMENT TO BE REGISTERED IN ANOTHER DISTRICT

I certify that the attached judgment is a copy of a judgment entered by this court on (date) 02/03/2014.

I also certify that, as appears from this court's records, no motion listed in Fed. R. App. P. 4(a)(4)(A) is pending before this court, the time for appeal has expired, and no appeal has been filed or, if one was filed, it is no longer pending.

Date: 03/27/2014

CLERK OF COURT



Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

FEDERAL NATIONAL MORTGAGE  
ASSOCIATION, a corporation  
established pursuant to 12 U.S.C.  
§ 1716 *et seq.*,

Plaintiff,

Case No. 2:11-cv-14119

v.

Hon. Avern Cohn

EMPIRIAN AT RIVERFRONT, LLC, a  
Delaware limited liability company, and  
AINTSAR RIVERFRONT, LLC, a  
Delaware limited liability company,  
EZRA BEYMAN, an individual, and  
MAYER STEG, an individual,

I hereby certify that the foregoing is  
a true copy of the original on file in this  
Office.

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

BY: 

Deputy

Defendants.

**JUDGMENT**

WHEREAS, Plaintiff Federal National Mortgage Association (“Fannie Mae”) has asserted a claim against Defendant Ezra Beyman (“Beyman”) for breach of a Guaranty (*see* Dkt. No. 1); and

WHEREAS, Beyman answered Fannie Mae’s claim and asserted a single Affirmative Defense (*see* Dkt. No. 59); and

WHEREAS, on October 3, 2013, the Court entered a Memorandum and Order granting Fannie Mae’s motion to strike Beyman’s Affirmative Defense (Dkt. No. 71); and

WHEREAS, on October 31, 2013, Fannie Mae filed a Motion for Summary Judgment (Dkt. No. 73); and

WHEREAS, with the Affirmative Defense stricken, Beyman's position is that Beyman was unable to contest liability, and the only remaining issue in the Summary Judgment motion was the calculation of the amount of damages; and

WHEREAS, Beyman objected to the calculation of the amount of damages; and

WHEREAS, the parties ultimately agreed on the calculation of the amount of damages; and

WHEREAS, the parties have stipulated only to the judgment in the form and on the terms set forth below; and

WHEREAS, the Court is otherwise duly advised in the premises.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

Fannie Mae's Motion for Summary Judgment (Dkt. No. 73) is granted as set forth herein. Judgment shall be and hereby is entered in favor of Fannie Mae and against Beyman in the amount of \$17,227,776.00 (Seventeen Million, Two Hundred Twenty Seven Thousand, Seven Hundred Seventy Six Dollars and Zero Cents).

This Judgment is without prejudice to Beyman's right to appeal any order entered in this action, except for the calculation of the amount of damages in this Judgment.

Dated: February 3, 2014

s/ Avern Cohn  
United States District Judge

### STIPULATION

The parties stipulate and agree only to the form of the Judgment on the terms set forth herein. Beyman reserves his right to appeal any order entered in this action, except for the calculation of the amount of damages in this Judgment.

FOLEY & LARDNER LLP

BARRIS, SOTT, DENN & DRIKER,  
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Dated: January 30, 2014

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Dated: January 29, 2014